

Practitioner's Docket No. 2507/101

PATENT



REISSUE APPLICATION DECLARATION AND POWER OF ATTORNEY

DECLARATION BY THE INVENTOR

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor of the subject matter that is described and claimed in letters patent number 5,954,671, granted on September 21, 1999, and for which invention I solicit a reissue patent on the invention entitled Bone Harvesting Method and Apparatus, the specification of which was filed on August 3, 2001 as reissue application serial number 09/922,555.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

(37 C.F.R. section 1.175)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information that is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

PRIORITY CLAIM

I do not claim foreign priority benefits under Title 35, United States Code, section 119 of any foreign application(s) for patent. No such applications have been filed.

**STATEMENT OF INOPERATIVENESS
OR INVALIDITY OF ORIGINAL PATENT**

(37 C.F.R. section 1.175)

That I verily believe the original patent to be partly inoperative or invalid by reason of (37 C.F.R. section 1.175(a)(1)):

* the patentee claiming more or less than the patentee had a right to claim in the patent.

That the error listed above, which are being corrected, up to the time of the filing of this reissue declaration arose without any deceptive intention on the part of the applicant. (37 C.F.R. section 1.175(a)(2).

POWER OF ATTORNEY

I hereby appoint the following practitioner(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Keith J. Wood, Registration No. 45,235
Bruce D. Sunstein, Registration No. 27,234
Robert M. Asher, Registration No. 30,445
Timothy M. Murphy, Registration No. 33,198
Steven G. Saunders, Registration No. 36,265
Harriet M. Strimpel, Registration No. 37,008
Karen A. Buchanan, Registration No. 37,790
Samuel J. Petuchowski, Registration No. 37,910
Jeffrey T. Klayman, Registration No. 39,250
John J. Stickevers, Registration No. 39,387
Herbert A. Newborn, Registration No. 42,031
Elizabeth P. Morano, Registration No. 42,904
Jean M. Tibbetts, Registration No. 43,193
Jay Sandvos, Registration No. 43,900
Sonia K. Guterman, Registration No. 44,729
Yang Xu, Registration No. 45,243
Alton Hornsby, III, Registration No. 47,299
Alexander J. Smolenski, Registration No. 47,953
John L. Conway, Registration No. 48,241

I hereby appoint the practitioner(s) associated with the Customer Number provided below to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

SEND CORRESPONDENCE TO

Address: Keith J. Wood
Bromberg & Sunstein LLP
125 Summer Street
Boston, MA 02110USA

DIRECT TELEPHONE CALLS TO:

617-443-9292

Customer No.: 002101

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE BY THE INVENTOR

Full name of sole or first inventor: Michael J. O'Neill

Inventor's signature

Michael J. O'Neill

Date 8/30/01

Country of Citizenship: US

Residence: Scituate, MA

Post Office Address:

33 Circuit Avenue
Scituate, MA 02066